

PROB 12C
(6/16)

Report Date: January 18, 2017

United States District Court

for the

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**JAN 20 2017**SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Francis Edward Murinko Case Number: 0980 2:09CR00027-JLQ-1
 Address of Offender: , Spokane, Washington 99201
 Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge
 Date of Original Sentence: December 3, 2009
 Original Offense: Possession of Child Pornography, 18 U.S.C. § 2252(a)(4)(B); Transportation of Child
 Pornography, 18 U.S.C. § 2252(a)(1); Forfeiture, 18 U.S.C. § 2253;
 Original Sentence: Prison 80 months; Type of Supervision: Supervised Release
 TSR - 180 months
 Asst. U.S. Attorney: Stephanie J. Lister Date Supervision Commenced: August 1, 2016
 Defense Attorney: Federal Defender's Office Date Supervision Expires: July 31, 2031

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<p><u>Special Condition # 14:</u> You shall not utilize any electronic communication or storage device (e.g., computer, cell phone, personal digital assistant, smartphone, digital camera/camcorder, digital video recorder, or digital storage media such as flash drives, SD cards, memory sticks, floppy disks) at any location (including employment) except as explicitly allowed by the supervising probation officer. You shall provide a complete inventory of all electronic communication and storage devices you own or to which you have access to the supervising probation officer. You shall provide the supervising probation officer with an updated inventory any time it changes. You shall not possess or use any of these devices which access the Internet/on-line computer service or other electronic data source without the advance approval of the supervising probation officer. This includes any Internet service provider, cable or satellite services, or any other public or private computer network.</p>
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Supporting Evidence: Frank Murinko violated special condition number 14 by utilizing an electronic communication device to access the Internet without the advance approval of his supervising U.S. probation officer since on or about January 17, 2017.

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On January 13, 2017, the undersigned officer received information that the offender may be in possession of a cellular phone that is able to access the Internet. On January 17, 2017, the undersigned officer contacted the offender in reference to the possible violation. Mr. Murinko initially denied having two cellular phones, but eventually admitted that he did have an unauthorized cell phone. The offender stated he had the phone throughout supervised release. The undersigned officer looked at the web history on the Internet application on the device. It showed that the device had been used to access the Internet as recent as January 17, 2017.

- 2 **Special Condition # 20:** You shall not change your living situation without advance approval of the supervising probation officer.

Supporting Evidence: Frank Murinko violated special condition number 20 by failing to notify his supervising U.S. probation officer prior to changing his living situation since January 17, 2017.

The undersigned officer attempted to make contact with the offender at his listed residence regarding a possible violation of his pretrial supervised release. Upon arrival at the offender's residence, it was discovered that the offender had cut off his GPS monitoring device and left the facility. Staff at the offender's residence indicated that Mr. Murinko had packed most of his belongings prior to his departure. The undersigned officer contacted staff at his residence on January 18, 2017. They indicated that he had not returned to the facility. Mr. Murinko was living at a group home for veterans prior to absconding supervision. Numerous attempts to contact the offender on January 17 and 18, 2017, have gone unreturned. The offender's whereabouts are currently unknown.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 1/18/2017

s/Patrick J. Dennis

Patrick J. Dennis
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

1/20/2017
Date